

ORIGINAL

DOCKET FILE COPY ORIGINAL

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

In the Matter of

Amendment of Section 73.202(b)  
Table of Allotments  
FM Broadcast Stations  
Presque Isle, Michigan

) MM Docket No. \_\_\_\_

) RM-

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau



PETITION FOR RULEMAKING

Northern Paul Bunyan Radio Company (hereinafter "NPB"), by its attorney, in accordance with Section 1.401 and 1.420 of the Commission's rules, hereby petitions the Commission for the initiation of a rulemaking proceeding to amend the FM Table of assignments, Section 73.202 of the Commission's rules, to allot new FM channel 227A to the community of Presque Isle Township, Michigan, as its first local radio service. In support whereof, the following is submitted:

The community of Presque Isle, Michigan is an independent community separately listed in the U.S. Census with a population of 1,691 persons and is located in Presque Isle County which has a population of 14,411 persons.<sup>1</sup> The community of Presque Isle has its own local government consisting of a Town Board which

---

<sup>1</sup> All populations are from the U.S. Census year 2000 figures.

No. of Copies rec'd. at 4  
List ABCDE MMB  
02-21

includes the Town Supervisor, Clerk, treasurer, and two additional Board members. The government is headquartered in the Township Hall located on East Grand Avenue in Presque Isle. The Township also includes its own fire department, library, and U.S. Post Office (zip code 49777) as well as its own base of local businesses, Church Chapel, Motels, Inns, tourist attractions, a Marina and a Museum. Presque Isle therefore qualifies as a community for FCC allotment purposes. Presque Isle presently has no local aural radio service and the instant proposal would supply that first local aural radio service to the citizens of Presque Isle as well as service to the surrounding County.

Attached hereto is an Engineering Statement including an Allocation Study which indicates that the new requested channel for Presque Isle may be added to the Allocation Table fully consistent with all FCC spacing and interference rules without any other change being required in any other station or allocation. NPB also submits here its unqualified commitment to apply for use of the channel if allocated and upon grant of that application to diligently proceed to build and operate a station on that channel.

In sum, it is respectfully submitted that adoption of this Petition would be in the public interest in providing a first local broadcast service to the community of Presque Isle in furtherance of the Commission's stated goal of providing the greatest possible service to the public. See generally,

Implementation of BC Docket 80-90 to Increase the Availability of FM Broadcast Assignments, 57 RR 2d 863, 865 (1985). It is therefore requested that the Table of Allocations be modified as follows:

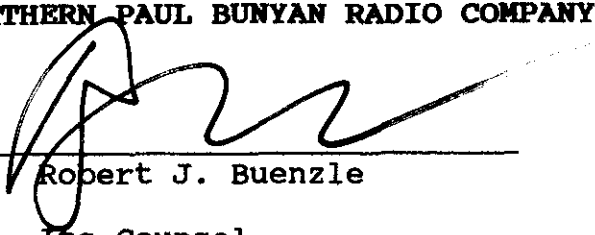
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Presque Isle, Michigan	-	227A

Wherefore, it is respectfully submitted that the instant Petition for Rulemaking is in the public interest and should be adopted.

Respectfully Submitted,

NORTHERN PAUL BUNYAN RADIO COMPANY

by

  
Robert J. Buenzle

Its Counsel

Law Offices  
Robert J. Buenzle  
12110 Sunset Hills Road  
Suite 450  
Reston, Virginia 22090  
(703) 430-6751

February 5, 2002

Northern Paul Bunyan Radio Company

**Petition For Rulemaking**  
**FM Channel 227A**  
Presque Isle Township, Michigan

(c) 2002  
F. W. Hannel, PE  
All Rights Reserved

STATE OF ARIZONA            )  
                                  )  
COUNTY OF MARICOPA        )        SS:

F. W. Hannel, after being duly sworn upon oath,  
deposes and states:

He is a registered Professional Engineer, by  
examination, in the State of Illinois;

He is a graduate Electrical Engineer, holding Bachelor  
of Science and Master of Science degrees, both in Electrical  
Engineering;

His qualifications are a matter of public record and  
have been accepted in prior filings and appearances requiring  
Scrutiny of his professional qualifications;

The attached Engineering Report was prepared by him  
personally or under his supervision and direction and;

The facts stated herein are true, correct, and  
complete to the best of his knowledge and belief.

January 31, 2002



F. W. Hannel, P.E.

F. W. Hannel, PE  
10733 East Butherus Drive  
Scottsdale, AZ 85259  
480) 585-7475  
Fax (815) 327-9559  
<http://fwhannel.com>

Northern Paul Bunyan Radio Company

**Petition For Rulemaking  
FM Channel 227A  
Presque Isle Township, Michigan**

**ENGINEERING STATEMENT**

This firm has been retained by Northern Paul Bunyan Radio Company to prepare this engineering statement in support of its Petition For Rulemaking seeking to amend the FM Table of Allotments to allot FM Channel 227A to Presque Isle Township, Michigan as its first local aural service.

The community of Presque Isle Township, Michigan, (2000 population of 1,691 persons), is located in Presque Isle County, (2000 population of 14,411 persons). The community presently has no aural service licensed to it and the assignment of FM Channel 227A would provide the community with a first local aural service.

FM Channel 227A can be assigned to Presque Isle Township, Michigan, (US Atlas Co-ordinates N45-18-14, W83-28-36) without a site restriction. A transmitter operating from the allotment site fully complies with the Commission's city grade illumination requirements as well as the minimum mileage separation requirements of Section 73.207 of the Rules. Attached as Exhibit E-1 is a channel study conducted from the allotment reference co-ordinates which demonstrates that the requested assignment can be made to Presque Isle Township, Michigan.

In view of the foregoing, it is requested that the Commission amend the FM Table of Allotments as follows:

Community	Present	Proposed
Presque Isle Township, Michigan	----	227A

The changes proposed by Northern Paul Bunyan Radio Company will provide the community of Presque Isle Township, Michigan with another aural service and the proposed assignment of FM Channel 227A is not in conflict with any other proposal. The addition of a first local aural service to Presque Isle Township is clearly in the public interest and should be granted by the Commission.

Northern Paul Bunyan Radio Company

**Petition For Rulemaking  
FM Channel 227A  
Presque Isle Township, Michigan**

**FM Channel Study  
FM Channel 227A  
Presque Isle Township, Michigan  
N45-18-14 W83-28-36**

**Exhibit E-1**

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLR
WKQZ	MIDLAND	MI	227	C2	U	169.2	166.0	196.8°	3.2
WKQZ	MIDLAND	MI	227	C2	L	169.2	166.0	196.8°	3.2
WBCM	BOYNE CITY	MI	228	C2	U	127.8	106.0	263.8°	21.8
WBCM	BOYNE CITY	MI	228	C2	L	110.0	106.0	271.2°	4.0
WAVC	MIO	MI	230	C2	L	94.6	55.0	227.4°	39.6

**All Distances in Kilometers**